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Paper No. 8

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JUN 23 2003

OFFICE OF PETITIONS

In re Application of
Harry Finke, Gregory Kitko, Marty McGhee and
David Schalles
Application No. 10/032,803
Filed: December 28, 2001
Attorney Docket No. 28-011564

DECISION GRANTING STATUS
UNDER 37 CFR 1.47(a)

This is in response to the renewed petition filed May 5, 2003 under 37 CFR. §1.47(a).

The petition is GRANTED.

Petitioner has shown that the non-signing inventor, Harry Finke, has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the petition indicates the application papers were sent to the inventor's last known address. Petitioner has provided evidence the package was received. The non-signing inventor has indicated he refuses to execute the application papers.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries related to this decision may be directed to the undersigned at (703) 306-0251.

Charlema R. Grant
Petitions Attorney
Office of Petitions



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LETTER

Harry P. Finke
1306 Old Meadow Road
Pittsburgh, PA 15241-3457

In re Application of
Harry Finke, Gregory Kitko, Marty McGhee and
David Schalles
Application No. 10/032,803
Filed: December 28, 2001
Attorney Docket No. 28-011564

Dear Mr. Finke:

You are named as a co-inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 C.F.R. § 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost as per 37 C.F.R. § 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, counsel of record (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 C.F.R. § 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Charlema R. Grant at (703) 306-0251. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

Charlema R. Grant
Petitions Attorney
Office of Petitions

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